

**IN THE DISTRICT COURT OF THE UNITED STATES**  
**FOR THE DISTRICT OF SOUTH CAROLINA**  
**COLUMBIA DIVISION**

<b>Victor B. White,</b>	)	<b>Civil Action No.: 3:05-CV-00507</b>
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b><u>ORDER</u></b>
	)	
<b>Richland County, <i>et al</i>,</b>	)	
	)	
<b>Defendants.</b>	)	
_____	)	

This matter is before the Court pursuant to a Report and Recommendation submitted by United States Magistrate Judge Joseph R. McCrorey, to whom it was referred for review under 28 U.S.C. § 636(b)(1)(B) and this Court's Local Rules. Plaintiff brings this action pursuant to 42 U.S.C. § §1983, 1985, and 1986. In addition, Plaintiff seeks recovery of reasonable costs, disbursements and attorney fees pursuant to 42 U.S.C. § 1988. Plaintiff also states several state grounds for relief, including malicious prosecution and defamation of character. Numerous state counties are named in the complaint for allegedly conspiring to deprive plaintiff of his civil rights. Among them are, Richland County (SC), Hartford County (CT), Dekalb County (GA), Franklin County (OH), and Hamilton County (OH).

Plaintiff proceeds in this action *pro se*. This Court is required to construe such *pro se* pleadings liberally to allow for the development of a potentially meritorious claim. *Haines v. Kerner*, 404 U.S. 519, 520 (1972). *Pro se* pleadings are held to a lower standard than those drafted by attorneys. *Gordon v. Leeke*, 574 F.2d 1147, 1151 (4th Cir.

1978). The magistrate makes only a recommendation to this Court. The recommendation has no presumptive weight and the responsibility for making a final determination remains with this Court. *Matthews v. Weber*, 423 U.S. 261, 270-271 (1976).

With regard to Plaintiff's instant action, the magistrate recommends that the District Court dismiss the complaint *without prejudice* and without issuance and service of process. The magistrate recommends dismissal pursuant to § 1915(e)(2)(B)(i),(ii), which allows a district court to dismiss a case upon a finding that the action "is frivolous or malicious" or "fails to state a claim on which relief may be granted." Upon consideration of Plaintiff's factual allegations, this Court is inclined to take the view of the magistrate and finds that Plaintiff has failed to a claim on which relief may be granted.

This Court also notes Plaintiff's objections to the Magistrate's Report and Recommendation. However, Plaintiff's objections do not contain any meaningful or justiciable challenges to the magistrate's recommendation that would compel this Court to reject the recommendation. Therefore, having reviewed the entirety of this case, including the Magistrate's Report and Recommendation, and Plaintiff's objections, this Court approves the recommendation of the magistrate. This action is hereby **DISMISSED** without prejudice.

**IT IS SO ORDERED.**

s/Matthew J. Perry, Jr.  
Matthew J. Perry, Jr.  
Senior United States District Judge

January 14, 2008  
Columbia, South Carolina